

REMARKS

Claims 1-36 are pending in the above-identified application. Claims 1-36 were rejected. Accordingly, claims 1-36 remain at issue in the above-identified application.

**I. 35 U.S.C. ¶ 102(e) Anticipation Rejection of Claims And
35 U.S.C. ¶ 103(a) Obviousness Rejection of Claims**

Claims 1, 2-5, 8, 9, 19, 23, 26 and 27 were rejected under 35 U.S.C. 102(e) as purportedly anticipated by or, in the alternative, under 35 U.S.C. 103(a) as purportedly obvious over Wu et al., US Patent Application No. 2002/0063832. In addition, Claims 6, 7, 10-18, 20-22, 24, 25, and 27-36 were rejected under 35 U.S.C. 103(a) as being purportedly unpatentable over Wu as applied to claims 1, 2-5, 8, 9, 19, 23, 26 and 27 above in view of Miyachi et al., US Patent No. 6,384,889. Applicants respectfully traverse this rejection.

Applicants respectfully submit that Wu is an improper reference under ¶ 102(e) and ¶ 103. For a U.S. patent application that does not claim benefit of an international application under PCT Article (2) to qualify as a reference under ¶ 102(e) and ¶ 103, the U.S. filing date of the patent application must precede the earliest effective priority date of this Application as the reference's foreign priority claims under §§ 119(a)-(d) are not considered. Wu was filed on April 30, 2001. This application has an earlier effective priority date of July 27, 2000, based on an earlier Japanese filing date. Applicants will obtain and later submit an English translation of the Japanese priority application to perfect their claim to priority.

CONCLUSION

In view of the above amendments and remarks, Applicant submits that all claims now pending are clearly allowable over the cited prior art, and respectfully requests early and

favorable notification to that effect. If the Examiner believes that a conference would be of value in expediting the prosecution of this application, the Examiner is invited to telephone the undersigned counsel to arrange for such a conference.

Respectfully submitted,

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